

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Tony O'Manley Whisenhunt,)	Civil Action No.: 8:15-cv-00173-RBH
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Carolyn W. Colvin, Acting)	
Commissioner of the Social)	
Security Administration,)	
)	
Defendant.)	
)	

On May 3, 2016, Plaintiff filed a motion for attorney's fees, costs, and expenses pursuant to the Equal Access to Justice Act,¹ asserting the position taken by Defendant in this action was not substantially justified. *See* ECF No. 20. On May 18, 2016, the parties filed a joint stipulation wherein Plaintiff's motion was withdrawn and they agreed to an award of attorney's fees in the amount of \$4,500.00 and expenses in the amount of \$16.00. *See* ECF No. 21. The joint stipulation provides that the attorney's fees awarded should be paid to the claimant, not his attorney, and would be subject to the Treasury Offset Program² if the claimant owes an outstanding debt to the federal government. *See id.*

After careful consideration, the Court **ORDERS** Defendant to pay the following: (1) attorney's fees in the amount of \$4,500.00, subject to the Treasury Offset Program provision in the parties' joint stipulation; and (2) expenses in the amount of \$16.00. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), the attorney's fees and expenses will be paid directly to the claimant and mailed to his attorney, with a copy sent to the claimant.

¹ 28 U.S.C. § 2412(d).

² 31 U.S.C. § 3716.

IT IS SO ORDERED.

May 19, 2016
Florence, South Carolina

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge